Water Sustainability Act (WSA)

- In force February 29, 2016
- Repeals & replaces the *Water Act*
- Re-enacts water rights system & water protection powers
- New measures to:
  - protect stream health
  - regulate groundwater
  - manage water use during times of scarcity
  - expand opportunities to participate in decision-making
WSA regulations at a glance

**Water Sustainability**
- Water licensing, diversion & use of water
- Transition of existing groundwater use
- Changes in & about a stream
- Use of water for well drilling
- Use of deep groundwater

**Fees, Rentals & Charges Tariff**
- Fees & rentals schedule
- Exemptions from fees & rentals
- Administration of fees & rentals

**Groundwater Protection**
- Registration of well drillers & well pump installers
- Well construction & identification
- Well pumps & related works
- Well operation & maintenance
- Well deactivation & decommissioning
- Well Reports

**Dam Safety**
- Dam failure consequence classification
- Responsibilities of dam owners
- Operation & maintenance
- Dam monitoring & safety review
- Emergency plans
WSA regulates in three key areas:

- Water Use
  - Authorizations
  - Permitted uses
  - Reservations

- Management of Rights
  - Administration of rights
  - Protection of rights
  - Real time water use

- Protection of the Resource
  - Wells
  - Stream changes
  - Environmental flows
  - Planning, objectives
  - Area based rules
WSA modifies FITFIR to protect human needs and ecological values

Essential household use (up to 250 L/day) is protected.

During a declared water shortage, critical environmental flow can be given highest priority.

If water shortage threatens a fish population, Minister’s order can override FITFIR to target reductions.
Authorizing groundwater use

• Licence or use approval required for non-domestic groundwater use
  – Irrigation, industrial, commercial, etc.
• Can apply before or after well drilled
• Application fees and annual rentals payable
• Domestic groundwater use exempt
  – Domestic includes private wells for household use, fire prevention, pets & livestock for household use, garden & lawn irrigation associated with a dwelling
• Register domestic wells in provincial WELLs database so use is known. Non-domestic users will be registered through licensing process.
Transition for “existing” groundwater use

• Use was occurring on or before February 29, 2016
• Three years to apply for a licence (until March 1, 2019)
  – No application fee until March 1, 2017
  – Continue to use groundwater until a decision is made
  – Date of precedence based on date of first use
  – Water rental fees accrue from Feb. 29/16 (no benefit in delaying application)
• If an existing user does not apply within the 3-year period, the use is unauthorized
• If EA Reviewable Project must have certificate or exemption before licence can be granted
• “New” non-domestic groundwater users, (commencing after February 29, 2016), require an authorization before using the water
May be possible to recognize date of precedence from an existing licence

- Policy being developed
- New licence or “change of works” amendment to existing licence
- Likely based on hydraulic connection to stream source
Next Steps for 2016/17

• Encourage existing users to apply
• Support with operational policy and amendments
• Develop second phase regulations and amendments to existing regulations
  – Livestock Watering
  – Measuring and Reporting
  – Mineral Exploration
  – Governance and planning policy
• Drought response
Thank you!

More information:

www.gov.bc.ca/water

Apply for a water licence at:
FrontCounterBC
www.frontcounterbc.ca
FrontCounterBC@gov.bc.ca
1-877-855-3222